

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Internal memorandum
Memorandum interne

To À	Senior Legal Adviser to the Pre-Trial Division	From De	Judge Hans-Peter Kaul, President of the Pre-Trial Division
Date	20 October 2006	Copy	Judges of the Pre-Trial Division
Subject Objet	DECISION BY THE PRESIDENT OF THE PRE-TRIAL DIVISION AT THE REQUEST OF THE JUDGES OF PRE-TRIAL CHAMBERS I AND II TO SEPARATE THE SENIOR LEGAL ADVISER FROM ANY FUNCTIONS HE MIGHT HAVE IN RELATION TO THE CASE OF THE PROSECUTOR VS. THOMAS LUBANGA DYILO AND THE CASE OF THE PROSECUTOR VS. JOSEPH KONY ET.AL.		

1. **THE PRESIDENT OF THE PRE-TRIAL DIVISION** of the International Criminal Court, based on the authority laid down in Regulation 14 of the Regulations of the Court to oversee the administration of the Pre-Trial Division;
2. **CONSIDERING** the 15th Coordination Meeting of the Pre-Trial Division held on 10 October 2006;
3. **CONSIDERING** the letter of 20 October 2006 of the Presiding Judge of Pre-Trial Chamber confirming that “the Judges of Pre-Trial Chamber I are agreed that the Senior Legal Adviser shall, *ex abundanti cautela*, be temporarily relieved from any functions he might have in relation to the *Case of the Prosecutor vs. Thomas Lubanga Dyilo*, until further notice”;
4. **CONSIDERING** the letter of 20 October 2006 of the Presiding Judge of Pre-Trial Chamber II equally confirming that “the Judges of Pre-Trial Chamber II are agreed that the Senior Legal Adviser shall, *ex abundanti cautela*, be temporarily relieved from any functions he might have in relation to the *Case of the Prosecutor vs. Joseph Kony et. al.*, until further notice”;
5. **CONSIDERING** that, according to Article 40 para. 1 of the Statute, the judges shall be independent in the performance of their functions;

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6. **CONSIDERING** that the Senior Legal Adviser provides advice and assistance to the Pre-Trial Division as a whole under the general direction and supervision of the President of the Pre-Trial Division;

HEREBY DECIDES:

That as of now the Senior Legal Adviser to the Pre-Trial Division shall be temporarily relieved from any functions he might have in relation to the *Case of the Prosecutor vs. Thomas Lubanga Dyilo* and the *Case of the Prosecutor vs. Joseph Kony et. al.*, until further notice.

A handwritten signature in black ink, appearing to read 'Hans-Peter Kaul', written over a horizontal line.

Judge Hans-Peter Kaul
President of the Pre-Trial Division

Dated this 20th day of October 2006

At The Hague (The Netherlands)